

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL ARMANDO SANCHEZ,

Defendant.

CR 19-87-BLG-DLC

ORDER

Before the Court is United States Magistrate Judge Timothy J. Cavan's Findings & Recommendation Regarding Revocation of Supervised Release. (Doc. 54.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan found, based on Defendant's admissions at the hearing, that Defendant violated five conditions of supervised release: the special condition that

he abstain from the consumption of alcohol (Special Condition 4), the standard condition that he live in a place approved by his probation officer (Standard Condition 5), the special condition that he participate in substance abuse treatment (Special Condition 3), the special condition that he participate in substance abuse treatment (Special Condition 5), and the mandatory condition that he refrain from the unlawful use of a controlled substance (Mandatory Condition 3). (Doc. 54 at 5–6.)

Judge Cavan recommends that this Court revoke Defendant's supervised release and sentence him to seven (7) months custody, followed by 53 months of supervised release. (*Id.* at 6.) Judge Cavan further recommended that Defendant be placed at FCI Terre Haute in Terre Haute, Indiana. (*Id.*) Finally, Judge Cavan recommended that this Court impose nine special conditions. (*Id.* at 6–7.)

The Court finds no clear error in Judge Cavan's Findings and Recommendation and adopts them in full.

Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendation (Doc. 54) is ADOPTED in full.

Defendant shall be sentenced in conformity with Judge Cavan's recommendation in the judgment filed concurrently with this Order.

DATED this 8th day of May, 2025.


